

Labor Relations – Glossary of Terms

Collective Bargaining – is a process in which the representatives of employees meet with an employer, or the representatives of the employer, to negotiate a contract.

In New York City, the Office of Labor Relations represents the Mayor in the conduct of all labor relations between the City of New York and labor organizations representing employees of the city.

Contract – is an agreement reached through collective bargaining that establishes wages, hours, and terms and conditions of employment.

Social workers, senior social workers and supervisor social workers employed in HHC are covered by two contracts: a “city-wide” contract which covers all members represented by District Council 37, and a “unit-bargaining” contract which covers those titles specifically represented by Local 371.

Bargaining Unit – is a labor organization that represents a certain group of employees.

Social workers, senior social workers and supervisor social workers employed in the Health and Hospitals Corporation (HHC) are represented by two bargaining units: District Council 37 and Social Service Employees Union Local 371.

Social Services Employees Union Local 371 – is a local labor organization that represents New York City workers employed in the social services titles.

Although not members of Local 371, HHC social workers, senior social workers, and supervisor social workers are part of the Local 371 social services bargaining unit, which represents approximately 166 titles.

Health Services Employees Union Local 768 – is a local labor organization that represents New York City workers employed in approximately 100 health services titles, including HHC employees in the social worker, senior social worker, and supervisor social worker titles.

District Council 37 – is a federation of 56 affiliated local unions that represents approximately 124,000 city workers employed in approximately 1,360 titles citywide.

SOURCES: Michael D. Yates, *Why Unions Matter* (Monthly Review Press, New York), 1998, pages 30 –31. AFSCME, *Judicial Panel*, 2000, page 150. *Office of Labor Relations’ Mission*, <http://www.ci.nyc.ny.us/html/olr/html/olr/mission.html>.

IMPORTANT DATES IN NEW YORK CITY LABOR HISTORY

- 1894 - Colonel G.E. Waring, Commissioner of the New York City Street Cleaning Department, shocks contemporaries by introducing a new union for his employees. Colonel Waring also creates the “Committee of 41,” a group of employees empowered to evaluate grievances brought by any individual street cleaner. Any grievances considered reasonable are referred to a joint labor-management tribunal for settlement.**
- 1898 - The new city administration disbands the Committee of 41 and adopts a more typical authoritarian attitude toward the street cleaners. The street cleaners try to maintain the existence of a labor organization, Teamster Local 658; the union is forced underground.**
- 1906-1911 - During this period street cleaners engage in three strikes to protest twelve-hour workdays with mandatory nighttime duty and fines for minor infractions such as trotting one’s horse too quickly or mixing ashes in with other garbage. Initially the strikes are successful, winning back the ten-hour day. But in 1911, replacements, hired in advance, take over strikers’ jobs and the union is permanently ousted from the department.**
- July 5, 1935 – Congress enacts the National Labor Relations Act (NLRA) which affirms the right of employees to organize and bargain collectively and makes it an unfair labor practice for an employer to refuse to bargain collectively with the representatives of employees. However, certain groups of employees, including public employees, are not covered by the NLRA.**
- April 12, 1937 – *National Labor Relations Board v. Jones & Laughlin Steel Corp.*, 301 U.S. 1 (1937). By a vote of 5 to 4, the United States Supreme Court sustains the constitutionality of the NLRA.**
- July 21, 1954 – Invoking the language of the NLRA, Mayor Robert F. Wagner issues an “Interim Order in the Conduct of Relations Between the City of New York and Its Employees” which declares that New York City employees “had full freedom of association ...to negotiate the terms and conditions of employment.” Previously city workers had no legal right either to join unions or negotiate their salaries.**

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March 31, 1958 – Mayor Wagner promulgates Executive Order 49
 “permitting employees to participate ... through their freely chosen representatives in the determination of the terms and conditions of their employment.” Under EO 49, the Department of Labor and the Mayor retain the right to determine which unions would be recognized.

January 4- February 1, 1965 – After the city refuses to bargain on most issues, more than 8,000 welfare workers – social service professionals and clericals – go out on strike. The strike ends after Mayor Wagner agrees to a wide-ranging and impartial fact-finding procedure and frees the leaders of the strike, nineteen of whom had been jailed.

September 1, 1967 – In New York State, the Public Employees’ Fair Employment Act, commonly known as the Taylor Law, goes into effect. The Taylor Law establishes representation and collective bargaining rights for all public employees in New York State, but prohibits public employees from striking. The no-strike provisions arouses impassioned opposition from New York City unions.

January 1, 1968 – In New York City, the Collective Bargaining Law goes into effect. This law creates the Office of Collective Bargaining (OCB). OCB functions include determining bargaining units, supervising representation elections, certifying bargaining agents, and providing arbitration of contract and grievance disputes by a tripartite panel composed of two representatives from labor, two representatives from the city, and three “impartial” representatives chosen with the joint consent of labor and city appointees. OCB’s responsibilities are subsequently extended to nonmayoral agencies, including the Health and Hospitals Corporation. New York City unions are forced to accept the Taylor Law provisions as a condition for being recognized under OCB rules.

SOURCES: Mark H. Maier, *City Unions – Managing Discontent in New York City* (Rutgers University Press, New Brunswick), 1987, pages 12-13, 44-50, 81-84.

Social Services Employees Union Local 371, *Our History*,

<http://www.sseu371.org/union/history/history.html>.

***The New York State Public Employees’ Relations Law*, <http://www.perb.state.ny.us/>.**

